

Exhibit A

From: [Medina, Allan \(CRM\)](#)
To: [Fleming, Mary C.](#)
Cc: [McCarthy, Brandon N.](#); [Kramer, Alexander \(CRM\)](#); [Michael Villa](#); [Riley, Rachel](#)
Subject: Re: [EXTERNAL] RE: Motions coming
Date: Friday, February 17, 2023 4:40:41 PM

Mary -

First, there are various times within pleadings identified below when you and co-counsel in this case reference uncharged individuals by name; the names were taken from discovery produced in this case. These references should be redacted.

Second, you have not provided a basis for unsealing your motions at this time - motions that you filed under seal in the first place.

Our position remains the same: we object to the unsealing of these pleadings.

Allan J. Medina
Senior Deputy Chief
U.S. Department of Justice
Criminal Division, Fraud Section
(202) 257-6537

On Feb 17, 2023, at 4:04 PM, Fleming, Mary C. <mary.fleming@katten.com> wrote:

Allan,

Thanks for your response. We disagree that any information covered by the protective order is in the filings. In addition, the issues raised occurred in open court during trial and do not appear to be covered by the protective order. But to the extent you believe any reference to PII exists or is governed by the protective order, please point it out to us or the Court.

Mary C. Fleming

Associate

Katten

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2900 K Street NW, North Tower - Suite 200 | Washington, DC 20007-5118
direct +1.202.625.3754 mobile +1.407.267.3086
mary.fleming@katten.com | katten.com

From: Medina, Allan (CRM) <Allan.Medina@usdoj.gov>
Sent: Friday, February 17, 2023 2:27 PM
To: Fleming, Mary C. <mary.fleming@katten.com>; McCarthy, Brandon N. <brandon.mccarthy@katten.com>; Kramer, Alexander (CRM)

<Alexander.Kramer@usdoj.gov>

Cc: Michael Villa <mvilla@meadowscollier.com>; Riley, Rachel

<rachel.riley@katten.com>

Subject: RE: Motions coming

EXTERNAL EMAIL – EXERCISE CAUTION

Counsel –

Pursuant to the Protective Order in this case (DE 156), the government objects to the unsealing of the pleadings described below.

Any reference to PII of individuals who are not parties to this case should be redacted.

Moreover, we only received excerpts of DE 385, and the excerpts we did receive contain references to uncharged third parties.

To the extent you can provide proposed redactions for our consideration, we'd be happy to review them and get back to you with our position at that time.

Allan

From: Medina, Allan (CRM)

Sent: Friday, February 17, 2023 10:38 AM

To: Fleming, Mary C. <mary.fleming@katten.com>; McCarthy, Brandon N.

<brandon.mccarthy@katten.com>; Kramer, Alexander (CRM)

<Alexander.Kramer@usdoj.gov>

Cc: Michael Villa <mvilla@meadowscollier.com>; Riley, Rachel

<rachel.riley@katten.com>

Subject: RE: Motions coming

Thank you.

We will review today and get back to you.

From: Fleming, Mary C. <mary.fleming@katten.com>

Sent: Friday, February 17, 2023 10:32 AM

To: Medina, Allan (CRM) <Allan.Medina@usdoj.gov>; McCarthy, Brandon N.

<brandon.mccarthy@katten.com>; Kramer, Alexander (CRM)

<Alexander.Kramer@usdoj.gov>

Cc: Michael Villa <mvilla@meadowscollier.com>; Riley, Rachel

<rachel.riley@katten.com>

Subject: [EXTERNAL] RE: Motions coming

Allan and Alex,

Below is a list of the filings that are the subject of the request to unseal:

- <!--[if !supportLists]-->• <!--[endif]-->Defendants' Joint Motion for Provisional Relief (Dkt. 378)
- <!--[if !supportLists]-->• <!--[endif]-->Defendant Christopher Ince's Motion in Support of Defendants' Joint Motion for Provisional Relief (Dkt. 379)
- <!--[if !supportLists]-->• <!--[endif]-->United States' Response to Defendants' Joint Motion for Provisional Relief, and Exhibits A through E thereto (Dkt. 381)
- <!--[if !supportLists]-->• <!--[endif]-->Defendant Christopher Ince's Supplemental Response to Court's Request for Government Production Deficiencies, and Attachments A through D thereto (Dkt. 383)
- <!--[if !supportLists]-->• <!--[endif]-->Defendants Brian Swiencinski, Scott Breimeister, and Ronnie McAda, Jr.'s Omnibus Motion for Relief, and Exhibits A and B thereto (Dkt. 385)
- <!--[if !supportLists]-->• <!--[endif]-->United States' Supplemental Response to Defendants' Joint Motion for Provisional Relief (Dkt. 386)
- <!--[if !supportLists]-->• <!--[endif]-->Defendants' Opposed Joint Motion to Depose Witnesses (Dkt. 391)
- <!--[if !supportLists]-->• <!--[endif]-->United States' Motion to Seal (Dkt. 396)
- <!--[if !supportLists]-->• <!--[endif]-->United States' Response in Opposition to Defendants' Motion to Depose Witnesses (Dkt. 397)
- <!--[if !supportLists]-->• <!--[endif]-->Letter regarding Department of Justice policy, and Attachment thereto (Dkt. 408)
- <!--[if !supportLists]-->• <!--[endif]-->Defendants' Reply to the Government's Response to the Joint Motion to Depose Witnesses (Dkt. 409)
- <!--[if !supportLists]-->• <!--[endif]-->United States' Motion to Seal (Dkt. 410)
- <!--[if !supportLists]-->• <!--[endif]-->United States' Bench Memorandum in Advance of January 17, 2023 Hearing (Dkt. 411), and Exhibit 1 thereto
- <!--[if !supportLists]-->• <!--[endif]-->Brian Swiencinski's Ex Parte Supplemental Notice of Government Misconduct, and accompanying Appendix (Dkt. 412)

Mary C. Fleming

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mary.fleming@katten.com | katten.com

-----Original Message-----

From: Medina, Allan (CRM) <Allan.Medina@usdoj.gov>

Sent: Friday, February 17, 2023 10:27 AM

To: McCarthy, Brandon N. <brandon.mccarthy@katten.com>; Kramer, Alexander (CRM) <Alexander.Kramer@usdoj.gov>

Cc: Fleming, Mary C. <mary.fleming@katten.com>; Michael Villa <mvilla@meadowscollier.com>; Riley, Rachel <rachel.riley@katten.com>

Subject: RE: Motions coming

EXTERNAL EMAIL – EXERCISE CAUTION

Counsel -

We object to an evidentiary hearing.

With respect to your Motion to unseal all pleadings, we need to confer with the prosecution team to ensure that there is no PII or other sensitive information that needs to stay off the public docket.

Moreover, we are reaching out to chambers now re the status of our speedy trial motion to exclude time, which we will cc you on.

Thank you.

Allan

-----Original Message-----

From: McCarthy, Brandon N. <brandon.mccarthy@katten.com>

Sent: Friday, February 17, 2023 10:01 AM

To: Kramer, Alexander (CRM) <Alexander.Kramer@usdoj.gov>; Medina, Allan (CRM) <Allan.Medina@usdoj.gov>

Cc: Fleming, Mary C. <mary.fleming@katten.com>; Michael Villa <mvilla@meadowscollier.com>; Riley, Rachel <rachel.riley@katten.com>

Subject: [EXTERNAL] Motions coming

Allan/Alex-

The collective group intends to file a supplemental motion for an evidentiary hearing based on the research we found. And they intend to file a motion to unseal all sealed pleadings. For whatever reason the filing always seems to get dumped on the big firm (us) — thus my email today to confer.

But I just wanted you to know those two were coming. I presume you still oppose the first one, but was not sure what your position was on the unsealing of all the ex parte sealed filings was?

Mary - which docket numbers specifically did the group want to unseal?

Thanks!

Sent from my iPhone

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